

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kagan et al  
Appl. No. : 10/698,148  
Filed : October 31, 2003  
For : APPARATUS AND METHODS  
FOR TREATMENT OF MORBID  
OBESITY  
Examiner : Phillip A. Gray  
Group Art Unit : 3767

CERTIFICATE OF EFS WEB  
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I hereby certify that this correspondence, and any other attachment noted on the automated Acknowledgement Receipt, is being transmitted from within the Pacific Time zone to the Commissioner for Patents via the EFS Web server on:

5/9/08  
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Bryan Wahl Reg. No. 58,878

**AMENDMENT AND RESPONSE TO OFFICE ACTION****Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In response to the non-Final Office Action mailed March 18, 2008, Applicants respectfully submit the following paper. Please enter the following amendments and consider the following remarks.

**Amendments to the Claims** begin on page 2 of this paper.

**Summary of Interview** begins on page 5 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.